

**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 2000 Powell Street, Suite 1655, Emeryville, California 94608. On September 19, 2007, I caused the following document(s) in case number C07-04702, referred to as *San Rafael City Schools, Plaintiff, vs. Office of Administrative Hearings, Defendants, and T.M., a minor, Real Party in Interest* to be served by the method indicated below:

Proof of Service Summons, Complaint, etc. on Office of Administrative Hearings

Proof of Service Summons, Complaint, etc. on T.M., a Minor, Real Party in Interest

☐ by transmitting via facsimile on this date from fax number 510-594-7988 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 p.m. and was reported complete and without error. The transmitting fax machine complies with Cal.R.Ct 2003(3).

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Emeryville, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

☐ by placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below. A signed proof of service by the process server or delivery service will be filed shortly.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

☐ by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below.

☐ by transmitting via email to the person(s) at the email address(es) listed below.

Margaret Broussard  
Law Office  
7909 Walerga Road, Suite 112, PMB 1157  
Antelope, CA 95843

Office of Administrative Hearings  
Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on September 19, 2007, at Emeryville, California.

  
Gretchen Trupiano

1 CELIA M. RUIZ, SBN 87671  
2 DAVID E. LYON, SBN 133065  
3 RUIZ & SPEROW, LLP  
4 2000 Powell Street, No. 1655  
5 Emeryville, CA 94608  
6 Telephone: 510 594-7980  
7 Fax: 510 594-7988

8 Attorneys for Respondent SAN RAFAEL CITY SCHOOLS

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UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

SAN RAFAEL CITY SCHOOLS,

Plaintiff,

vs.

OFFICE OF ADMINISTRATIVE  
HEARINGS,

Defendants,

and

T.M., a minor,

Real Party in Interest.

) Case No. C07-04702

) (California State Office of  
) Administrative Hearings – Special  
) Education Division No. N2007050679)

) **PROOF OF SERVICE**  
) **SUMMONS, COMPLAINT, etc. ON**  
) **OFFICE OF ADMINISTRATIVE**  
) **HEARINGS**

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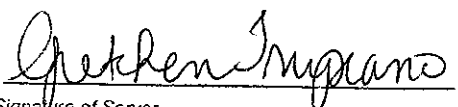
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AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me <sup>1</sup> Gretchen Trupiano, September 19, 2007		<small>DATE</small>
<small>Name of SERVER</small> Gretchen Trupiano	secretary	<small>TITLE</small>
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): by U.S. Mail, pursuant to telephonic agreement, see attached		
STATEMENT OF SERVICE FEES		
<small>TRAVEL</small>	<small>SERVICES</small>	<small>TOTAL</small>
N/A -----		
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>19 September 2007</u> <small>Date</small>	<div style="text-align: center;">   <small>Signature of Server</small>            Ruiz &amp; Sperow, LLP            2000 Powell Street, No. 1655  <small>Address of Server</small>            Emeryville, CA 94608         </div>	
<small>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</small>		

CELIA M. RUIZ  
JANICE L. SPEROW  
ALISON C. NEUFELD  
MARION L. McWILLIAMS  
NICHOLAS T. CALDERON  
DAVID E. LYON  
LYNDON Y. CHEE  
P. BOBBY SHUKLA  
RENEE SANCHEZ  
OK-HEE SHIM  
OLUWASEUN AJAYI - LAW CLERK  
MATTHEW M. NAKANO - LAW CLERK  
MARIA DELGADO - LAW CLERK  
JASMINE KIAI - LAW CLERK

RUIZ & SPEROW, LLP

WATERGATE TOWER III  
2000 POWELL STREET, SUITE 1655  
EMERYVILLE, CA 94608  
(510) 594-7980  
FAX (510) 594-7988  
<http://www.ruizlaw.com>  
E-MAIL: RUIZLAW@RUIZLAW.COM

4305 BEVERLY DRIVE  
LA MESA, CA 91941-7818  
(619) 741-7593  
FAX (619) 741-7594

OUR FILE NUMBER:  
(9194)

OF COUNSEL:  
C. MATTHEW DIDALEUSKY

September 19, 2007

*Via U.S. Mail*

Office of Administrative Hearings  
Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231

Re: San Rafael City Schools, Plaintiff, vs. Office of Administrative Hearings,  
Defendants, and T.M., a minor, Real Party in Interest  
U.S.D.C. N.Ca Case No. C07-04702 WHA; [OAH No. N2007050679]

To Whom It May Concern:

Enclosed with this letter -- pursuant to this afternoon's telephone conversation with Mr. Hector Portillo [spelling] of your office, in which he affirmed to me your office will accept service of process by mail -- are the following documents:

Civil Cover Sheet

Summons

Complaint

Welcome to the U.S. District Court, San Francisco

Order Setting Initial Case Management Conference and ADR Deadlines

Standing Order for all Judges of the Northern District of California

Supplemental Order to Order Setting Initial Case Management Conference in Civil Cases Before Judge William Alsup

Public Notice

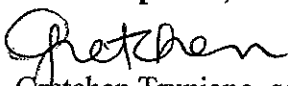
Notice of Availability of Magistrate Judge to Exercise Jurisdiction

blank Consent to Proceed Before a United States Magistrate Judge form

ECF Registration Information Handout

Very truly yours,

**Ruiz & Sperow, LLP**



Gretchen Trupiano, secretary

enc.

**Service of Process:**

3:07-cv-04702-WHA San Rafael City Schools v. Office of Administrative Hearings  
ADRMOP, E-Filing

U.S. District Court  
Northern District of California  
**Notice of Electronic Filing or Other Case Activity**

NOTE: Please read this entire notice before calling the Help Desk. If you have questions, please email the Help Desk by replying to this message; include your question or comment along with the original text.

Please note that these Notices are sent for all cases in the system when any case activity occurs, regardless of whether the case is designated for e-filing or not, or whether the activity is the filing of an electronic document or not.

If there are **two** hyperlinks below, the first will lead to the docket and the second will lead to an e-filed document.

***If there is no second hyperlink, there is no electronic document available .***

See the FAQ posting 'I have a Notice of Electronic Filing that was e-mailed to me but there's no hyperlink...' on the ECF home page at for more information.

The following transaction was received from by Ruiz, Celia entered on 9/19/2007 4:21 PM and filed on 9/19/2007

**Case Name:** San Rafael City Schools v. Office of Administrative Hearings

**Case Number:** 3:07-cv-4702

**Filer:** San Rafael City Schools

**Document Number:** 5

**Docket Text:**

CERTIFICATE OF SERVICE by San Rafael City Schools *of Summons, Complaint, etc. on Office of Administrative Hearings* (Ruiz, Celia) (Filed on 9/19/2007)

**3:07-cv-4702 Notice has been electronically mailed to:**

David Ernest Lyon dlyon@ruizlaw.com

Celia M. Ruiz cmruiz@ruizlaw.com, gtrupiano@ruizlaw.com

**3:07-cv-4702 Notice has been delivered by other means to:**

Celia Martinez Ruiz  
Ruiz & Sperow LLP  
2000 Powell St #1655  
Emeryville, CA 94608

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**S:\CompanyData\WPDOCS\CLIENTS\91-94\Pldgs\posoah.pdf

**Electronic document Stamp:**

[STAMP CANDStamp\_ID=977336130 [Date=9/19/2007] [FileNumber=3762959-0]

[aeefd3c2f8ac8d773565f4068c9e76843c71d7deace1ddaf568d21733180173055430  
58f7aa880ca663e5aa751abc272821119be75c047fbd3298d5787865cd1]]

CELIA M. RUIZ, SBN 87671  
 DAVID E. LYON, SBN 133065  
 RUIZ & SPEROW, LLP  
 2000 Powell Street, No. 1655  
 Emeryville, CA 94608  
 Telephone: 510 594-7980  
 Fax: 510 594-7988

Attorneys for Respondent SAN RAFAEL CITY SCHOOLS

**UNITED STATES DISTRICT COURT FOR THE  
 NORTHERN DISTRICT OF CALIFORNIA**

SAN RAFAEL CITY SCHOOLS,

Plaintiff,

vs.

OFFICE OF ADMINISTRATIVE  
 HEARINGS,

Defendants,

and

T.M., a minor,

Real Party in Interest.

) Case No. C07-04702

) (California State Office of  
 ) Administrative Hearings – Special  
 ) Education Division No. N2007050679)

) **PROOF OF SERVICE**  
 ) **SUMMONS, COMPLAINT, etc. ON**  
 ) **T.M., a Minor, Real Party in Interest**

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AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me <sup>1</sup> <u>Gretchen Trupiano</u>		DATE <u>9/18/2007</u>
Name of SERVER <u>Gretchen Trupiano</u>		TITLE <u>secretary</u>
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>per emailed instructions attached, sent by U.S. mail to counsel for real party in interest</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
n/a		
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on	<u>9/18/2007</u> <small>Date</small>	<u>Gretchen Trupiano</u> <small>Signature of Server</small>
		<u>Russ + Sperry LLP</u> <small>Address of Server</small> <u>2000 Powell St #1655</u> <u>Emeryville, CA 94608</u>
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		



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**From:** Pegthelawyer@aol.com [mailto:Pegthelawyer@aol.com]

**Sent:** Sunday, September 16, 2007 3:20 PM

**To:** David Lyon

**Subject:** Re: 9194 Mellor appeal

I will accept service by regular mail. We can discuss the particulars once I read the complaint.

Peggy Broussard

9/18/2007

**Service of Process:**

3:07-cv-04702-WHA San Rafael City Schools v. Office of Administrative Hearings  
ADRMOP, E-Filing

U.S. District Court  
Northern District of California  
**Notice of Electronic Filing or Other Case Activity**

NOTE: Please read this entire notice before calling the Help Desk. If you have questions, please email the Help Desk by replying to this message; include your question or comment along with the original text.

Please note that these Notices are sent for all cases in the system when any case activity occurs, regardless of whether the case is designated for e-filing or not, or whether the activity is the filing of an electronic document or not.

If there are **two** hyperlinks below, the first will lead to the docket and the second will lead to an e-filed document.

***If there is no second hyperlink, there is no electronic document available .***

See the FAQ posting 'I have a Notice of Electronic Filing that was e-mailed to me but there's no hyperlink...' on the ECF home page at for more information.

The following transaction was received from by Ruiz, Celia entered on 9/18/2007 5:22 PM and filed on 9/18/2007

**Case Name:** San Rafael City Schools v. Office of Administrative Hearings  
**Case Number:** 3:07-cv-4702  
**Filer:** San Rafael City Schools  
**Document Number:** 4

**Docket Text:**

CERTIFICATE OF SERVICE by San Rafael City Schools *Summons, Complaint, etc. on T.M., a minor, Real Party in Interest* (Ruiz, Celia) (Filed on 9/18/2007)

**3:07-cv-4702 Notice has been electronically mailed to:**

David Ernest Lyon dlyon@ruizlaw.com

Celia M. Ruiz cmruiz@ruizlaw.com, gtrupiano@ruizlaw.com

**3:07-cv-4702 Notice has been delivered by other means to:**

Celia Martinez Ruiz  
Ruiz & Sperow LLP  
2000 Powell St #1655  
Emeryville, CA 94608

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**S:\CompanyData\WPDOCS\CLIENTS\91-94\Pldgs\pos.pdf

**Electronic document Stamp:**

[STAMP CANDStamp\_ID=977336130 [Date=9/18/2007] [FileNumber=3759556-0]

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